

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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STACEY MERCER,

an individual,

CASE NO.: 1:21-cv-0072-AJN

Plaintiff,

v.

**FINAL PROPOSED DEFAULT
JUDGMENT AGAINST LONG
BEACH HOTEL INC.**

LONG BEACH HOTEL INC.,
a New York corporation,

Defendant.

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This action having been commenced on January 5, 2021, by the filing of a summons and complaint, and a copy of the Summons and Complaint having been served on Defendant LONG BEACH HOTEL INC., on January 15, 2021, and with proof of service filed on January 19, 2021, and said Defendant not having answered the complaint and the time for answering the complaint having expired, it is hereby

ORDERED, ADJUDGED AND DECREED, as follows:

1. That Plaintiff has Judgment against Defendant LONG BEACH HOTEL INC., (the “Defendant”) which shall require Defendant to remediate its website and reservation platform at the public domain name: www.longbeachhotelny.com (the “Website”) so that it becomes compliant with the ADA Accessibility Guidelines 28 C.F.R Part 36 (ADAAG) within sixty (60) days (the “Remediation Order”) of this Order, as follows:

a. The Defendant shall identify and describe accessible features in the hotel common areas and guest rooms offered through its reservations service on the Website in enough detail to reasonably permit individuals with disabilities to assess independently whether the hotel and/or guest room meets one’s accessibility needs;

- b. The Defendant shall provide an option on the Website for users to book an accessible room, which shall include a detailed description of all guest room accessibility features, including but not limited to bathing facilities in the room(s) available at the subject hotel and ensure that accessible guest rooms are held for use by individuals with disabilities until all other guest rooms of that type have been rented and the accessible room requested is the only remaining room of that type;
- c. That the subject facility, located at 405 East Broadway, Long Beach, NY 11561, which is currently leased, owned and operated by Defendant LONG BEACH HOTEL INC., shall be closed to the general public with all business operations ceased until Defendant fully comply with the terms of this Order.
- d. That within sixty (60) days after entry of this Judgment, Defendant shall serve and file with this Court notice and evidence of its compliance with the terms hereof.
- e. That the Court reserves jurisdiction to enforce the terms of this Judgment as set forth above, and upon full compliance by Defendant of the foregoing to hold such further proceedings as necessary to affix and award Plaintiff's damages, as well as, her attorneys' fees, costs and litigation expenses incurred through the date of Defendant's full compliance.

Dated: Garden City, New York
_____, 2021

SO ORDERED:

UNITED STATES DISTRICT JUDGE
HON. ALISON J. NATHAN